

**MISSOURI COURT OF APPEALS
WESTERN DISTRICT
1300 OAK STREET
KANSAS CITY, MISSOURI 64106**

DIVISION 1

**REX GABBERT, PRESIDING JUDGE
THOMAS H. NEWTON, JUDGE
ALOK AHUJA, JUDGE**

DIVISION 2

**KAREN KING MITCHELL, PRESIDING JUDGE
CYNTHIA MARTIN, JUDGE
GARY D. WITT, JUDGE**

DIVISION 3

**VICTOR C. HOWARD, PRESIDING JUDGE
LISA WHITE HARDWICK, JUDGE
EDWARD R. ARDINI, JR., JUDGE**

DIVISION 4

**MARK D. PFEIFFER, CHIEF JUDGE, PRESIDING
JAMES E. WELSH, JUDGE
ALOK AHUJA, JUDGE**

ORAL ARGUMENT DOCKET - SEPTEMBER, 2016

NOTICE TO COUNSEL

Enclosed is a copy of the Court's docket scheduling your case for argument. Please review this docket and the following information carefully. Please note the information below for each division:

DIVISION 1: THIS DIVISION WILL SIT ON SEPTEMBER 13TH, 2016 WITH DOCKET CALLS AT 9:00 A.M. AND 10:30 A.M.

DIVISION 2: THIS DIVISION WILL SIT ON SEPTEMBER 7TH AND 14TH, 2016 WITH DOCKET CALLS AT 9:00 AND 10:30 A.M.

DIVISION 3: THIS DIVISION WILL SIT ON SEPTEMBER 28TH, 2016, WITH DOCKET CALLS AT 9:00 AND 10:30 A.M.

DIVISION 4: THIS DIVISION WILL SIT ON SEPTEMBER 8TH, 2016, WITH DOCKET CALLS AT 9:00 AND 10:30 A.M.

If you are not present for the docket call, your case will be submitted on the briefs. If you do not intend to orally argue a docketed case (whether the appellant or respondent), please notify this office immediately of that decision. Any respondent who has not filed a brief will not be permitted oral argument.

PLEASE NOTE THE FOLLOWING CHANGE IN ARGUMENT TIMES:

In most cases, counsel will be allowed a maximum of 10 minutes per side with an additional three minutes for rebuttal by the appellant. In cases designated as “expanded oral argument” preceded and followed by three asterisks, argument will be expanded to 15 minutes per side with an additional five minutes allowed for rebuttal by the appellant.

The Court may call upon counsel to announce the amount of time they intend to use when the docket is called. Please keep in mind that the judges on the panel will be familiar with the briefs. The Court views oral argument as an opportunity to focus on the points of difficult analysis rather than a forum to verbally rehash the entire brief. Therefore, the Court expects counsel to tailor their requests for time accordingly. Counsel should also remember that they are not required to use the total time reserved.

Cross appeals shall be treated as one case, and in such cases the plaintiff in the trial court shall be entitled to open and close the argument. **If there are multiple appellants or respondents, the parties will ordinarily be expected to divide among themselves the time allowed for an appellant or respondent.**

Original exhibits shall be deposited with the court on or before the date on which the parties file their opening briefs unless the court grants permission to submit them at a later time. Any exhibits not timely deposited may be considered by the court as immaterial to the issues on appeal. Rule 81.16. Unless deposited exhibits are removed from the custody of the clerk within 30 days after the case is finally decided, upon prior notice to the parties, they may be destroyed or disposed of by the clerk. Rule 81.16(d).

Opinions are issued each Tuesday morning. Motions for rehearing and/or transfer to the Supreme Court must be filed within fifteen (15) days after the opinion has been issued.

If you have any questions concerning the docket, please contact this office at 816-889-3600. If you have special needs addressed by the Americans with Disabilities Act, please notify this office at least one week prior to the date of oral argument.

Terence G. Lord, Clerk

DIVISION 4

MARK D. PFEIFFER, CHIEF JUDGE, PRESIDING

JAMES E. WELSH, JUDGE

ALOK AHUJA, JUDGE

SEPTEMBER, 2016

<p>IMPORTANT NOTE</p>

**THIS DIVISION WILL SIT ON SEPTEMBER 8TH, 2016, WITH
DOCKET CALLS AT 9:00 AND 10:30 A.M.**

MISSOURI JUDICIARY
WESTERN DISTRICT CT OF APPEALS
Oral Argument Docket

8-Sep-2016 09:00

DIVISION 4

Western District Ct of Appeals

1. **WD79272** PLATTE COUNTY CIRCUIT COURT
WD79280

KRISTEN NICOLE PROPERTIES, ET AL., APPELLANT; LYLE ODO, APPELLANT,
vs
KEVIN SHAFINIA, RESPONDENT.

KRISTEN NICOLE PROPERTIES, Appellant
WILLIAM JAMES HUDNALL
LYLE ODO, Appellant Acting Pro Se
KEVIN SHAFINIA, Respondent
ROBERT JOSEPH WULFF

2. **WD78701** JACKSON COUNTY CIRCUIT COURT

PRIMITIVO SOTO, RESPONDENT,
vs
COSTCO WHOLESALE CORP., ET AL, APPELLANT.

COSTCO WHOLESALE CORP., Appellant
LARRY MICHAEL SCHUMAKER
PRIMITIVO SOTO, Respondent
REBECCA M. RANGLES
SARAH ALDERKS BROWN
ANTHONY E LACROIX
DANIEL GRAHAM CURRY

MISSOURI JUDICIARY
WESTERN DISTRICT CT OF APPEALS
Oral Argument Docket

8-Sep-2016 10:30

DIVISION 4

Western District Ct of Appeals

1. WD79391

COLE COUNTY CIRCUIT COURT

DOUGLAS, HAUN & HEIDEMANN, P.C., APPELLANTS

vs

MISSOURI DEPARTMENT OF SOCIAL SERVICES, RESPONDENT.

DOUGLAS, HAUN & HEIDEMANN, P.C., Appellant

DONALD MATTHEW BROWN

STATE OF MISSOURI DEPT OF SOCIAL SERVICES, Respondent

ROSS ALEXANDER BROWN

2. WD78753

JACKSON COUNTY CIRCUIT COURT

STATE OF MISSOURI, RESPONDENT

vs

JASON L BERRY, APPELLANT.

JASON L BERRY, Appellant

DAMIEN SEPHER BHAKTI DE LOYOLA

STATE OF MISSOURI, Respondent

KAREN LOUISE KRAMER

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